

AMENDED IN ASSEMBLY APRIL 8, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2644**

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**Introduced by Assembly Member Fuller**

February 19, 2010

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An act to amend ~~Section 12804.8~~ Sections 260 and 9400 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 2644, as amended, Fuller. Vehicles: ~~drivers' licenses: competency:~~ pickup trucks.

*Existing law defines "commercial vehicle" for purposes of the Vehicle Code, as a motor vehicle of a type required to be registered under that code that is used or maintained for the transportation of persons for hire, compensation, or profit or designed, used, or maintained primarily for the transportation of property. Existing law subjects pickup trucks to commercial vehicle weight fees.*

*This bill would exclude from that definition a pickup truck that is not used for the transportation of property for hire, compensation, or profit. The bill would exempt those excluded pickup trucks from commercial vehicle weight fees.*

~~Existing law authorizes the Department of Motor Vehicles to conduct studies to develop and identify examinations and tests, to more accurately identify persons who, due to physical or mental factors, or both, are not competent or qualified to safely operate a motor vehicle.~~

~~This bill would make technical, nonsubstantive changes to these provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

*SECTION 1. Section 260 of the Vehicle Code is amended to read:*

260. (a) A “commercial vehicle” is a motor vehicle of a type required to be registered under this code used or maintained for the transportation of persons for hire, compensation, or profit or designed, used, or maintained primarily for the transportation of property.

(b) Passenger vehicles and house cars that are not used for the transportation of persons for hire, compensation, or profit are not commercial vehicles. *Pickup trucks that are not used for the transportation of property for hire, compensation, or profit are not commercial vehicles.* This subdivision ~~shall~~ does not apply to Chapter 4 (commencing with Section 6700) of Division 3.

(c) ~~Any~~ A vanpool vehicle is not a commercial vehicle.

(d) The definition of a commercial vehicle in this section does not apply to Chapter 7 (commencing with Section 15200) of Division 6.

*SEC. 2. Section 9400 of the Vehicle Code is amended to read:*

9400. Except as provided in Section 9400.1, and in addition to any other registration fee, there shall be paid the fees set forth in this section for the registration of ~~any~~ a commercial motor vehicle that operates with unladen weight. Weight fees for pickup trucks *that are commercial vehicles* are calculated under this section. Whenever a camper is temporarily attached to a motor vehicle designed to transport property, the motor vehicle shall be subject to the fees imposed by this section. The camper shall be deemed to be a load, and fees imposed by this section upon the motor vehicle shall be based upon the unladen weight of the motor vehicle, exclusive of the camper.

(a) For ~~any~~ an electric vehicle designed, used, or maintained as described in this section, fees shall be paid according to the following schedule:

Unladen Weight	Fee
Less than 6,000 lbs.....	\$ 87
6,000 lbs. or more but less than 10,000 lbs.....	266
10,000 lbs. or more.....	358

(b) For ~~any~~ a motor vehicle having not more than two axles and designed, used, or maintained as described in this section, other than an electric vehicle, fees shall be paid according to the following schedule:

Unladen Weight	Fee
Less than 3,000 lbs.....	\$ 8
3,000 lbs. to and including 4,000 lbs.....	24
4,001 lbs. to and including 5,000 lbs.....	80
5,001 lbs. to and including 6,000 lbs.....	154
6,001 lbs. to and including 7,000 lbs.....	204
7,001 lbs. to and including 8,000 lbs.....	257
8,001 lbs. to and including 9,000 lbs.....	308
9,001 lbs. to and including 10,000 lbs.....	360

(c) For ~~any~~ a motor vehicle having three or more axles designed, used, or maintained as described in this section, other than an electric vehicle, fees shall be paid according to the following schedule:

Unladen Weight	Fee
2,000 lbs. to and including 3,000 lbs.....	\$ 43
3,001 lbs. to and including 4,000 lbs.....	77
4,001 lbs. to and including 5,000 lbs.....	154
5,001 lbs. to and including 6,000 lbs.....	231
6,001 lbs. to and including 7,000 lbs.....	308
7,001 lbs. to and including 8,000 lbs.....	385
8,001 lbs. to and including 9,000 lbs.....	462
9,001 lbs. to and including 10,000 lbs.....	539

(d) This section is ~~not applicable to any~~ *does not apply to a* vehicle that is operated or moved over the highway exclusively for the purpose of historical exhibition or other similar noncommercial purpose.

(e) The fee changes effected by this section apply to (1) initial or original registration on or after January 1, 1995, and prior to December 31, 2001, of ~~any~~ a commercial vehicle never before registered in this state and (2) to renewal of registration of ~~any~~ a commercial vehicle whose registration expires on or after January 1, 1995, and prior to December 31, 2001.

1 (f) Commercial vehicles, other than those specified in Section  
2 9400.1, with an initial registration or renewal of registration that  
3 is due on or after December 31, 2001, are subject to the payment  
4 of fees specified in this section.

5 SECTION 1. Section 12804.8 of the Vehicle Code is amended  
6 to read:

7 12804.8. (a) ~~Notwithstanding any other provision of law, the~~  
8 ~~department may conduct studies to develop and identify~~  
9 ~~examinations and tests, to more accurately identify persons who,~~  
10 ~~due to physical or mental factors, or both, are not competent or~~  
11 ~~qualified to safely operate a motor vehicle.~~

12 (b) ~~In addition to any other tests or examinations required under~~  
13 ~~this code, the department may require a person applying for an~~  
14 ~~original driver's license or renewal of a driver's license, or a person~~  
15 ~~subject to reexamination under Section 13801, to submit to one or~~  
16 ~~more tests or examinations which are part of a study.~~

17 (c) ~~The results and information obtained during the study,~~  
18 ~~through the tests and examinations specified in subdivision (a),~~  
19 ~~shall be used only to assess and evaluate the effectiveness of the~~  
20 ~~tests and examinations and to select tests and examinations for use~~  
21 ~~by the department, and for no other purpose. The results of the~~  
22 ~~tests are confidential and shall not be disclosed to any person.~~

23 (d) ~~A public entity or employee shall not be liable for any loss,~~  
24 ~~detriment, or injury resulting directly or indirectly from the~~  
25 ~~department's acts or failure to act on information received through~~  
26 ~~the studies.~~